

JOSEPH T. MCNALLY  
Acting United States Attorney  
LINDSEY GREER DOTSON  
Assistant United States Attorney  
Chief, Criminal Division  
BRETT A. SAGEL (Cal. Bar No. 243918)  
Assistant United States Attorney  
Chief, Corporate & Securities Fraud Strike Force  
ALEXANDER B. SCHWAB (Cal. Bar No. 283421)  
Assistant United States Attorney  
Deputy Chief, Corporate & Securities Fraud Strike Force  
LAUREN ARCHER  
MATTHEW REILLY  
Trial Attorneys  
Department of Justice, Criminal Division, Fraud Section  
United States Courthouse  
411 West 4th Street, Suite 8000  
Santa Ana, California 92701  
Telephone: (714) 338-3598  
Facsimile: (714) 338-3561  
E-mail: brett.sagel@usdoj.gov  
alexander.schwab@usdoj.gov  
lauren.archer@usdoj.gov  
matthew.reilly2@usdoj.gov

UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

2:24-CR-000456-TJH

v.

ANDREW LEFT,

Defendant.

GOVERNMENT'S UNOPPOSED EX PARTE  
APPLICATION FOR ORDER PERMITTING  
IT TO FILE CORRECTED OPPOSITION TO  
MOTION TO DISMISS AND AMENDING THE  
BRIEFING SCHEDULE

The United States of America, by and through counsel of record, with consent of the defendant, applies ex parte for an order permitting it to file its Corrected Opposition attached as Exhibit A to defendant's motion to dismiss and amending the briefing schedule. Defendant does not oppose the requested relief.

1. On September 4, 2024, this Court issued a Trial Setting Order.

(ECF No. 29.) The order stated that: "All motions under Rule 12

1 of the Federal Rules of Criminal Procedure shall be filed no  
2 later than January 27, 2025; oppositions shall be filed three  
3 weeks after any Rule 12 motion is filed; an optional reply brief  
4 may be filed two weeks after an opposition, and the Rule 12  
5 motion, if filed, shall be noticed for a hearing at least seven  
6 weeks after the date it is filed, or a following date convenient  
7 for the Court." Id. ¶ 3a.

- 8 2. On January 27, 2025, defendant timely filed a motion to dismiss  
9 the indictment. (ECF No. 34.) The government timely filed its  
10 opposition on February 18, 2025. (ECF No. 41.) The  
11 government's opposition erroneously omitted a response to the  
12 extraterritoriality argument raised in Section II of defendant's  
13 Motion to Dismiss.
- 14 3. The government seeks leave to file a Corrected Opposition, which  
15 includes the erroneously omitted content and also reflects  
16 several edits to the previously filed opposition to comply with  
17 the Court's 7,000-word limit.
- 18 4. Defendant does not object to the government's corrective filing,  
19 provided the briefing schedule is amended to reflect that an  
20 optional reply brief may be filed two weeks after the Corrected  
21 Opposition, consistent with the Court's original order (ECF. 29,  
22 ¶ 3(a)).
- 23 5. Additionally, the earliest available date on which both the  
24 parties and the Court are available hold a hearing on  
25 defendant's motion is **April 28, 2025**. Accordingly, the proposed  
26 scheduling order will cause no delay in the anticipated hearing  
27 date.

6. For these reasons, the government respectfully requests leave to  
file a Corrected Opposition to Defendant's Motion to Dismiss  
(Ex. A) and further requests that the Court enter the proposed  
scheduling order.

DATE: February 24, 2025

Respectfully submitted,

JOSEPH T. MCNALLY  
Acting United States Attorney  
Central District of California

GLENN S. LEON  
Chief  
Fraud Section, Criminal Division  
U.S. Department of Justice

/s Alexander B. Schwab

BRETT A. SAGEL  
ALEXANDER B. SCHWAB  
Assistant United States Attorneys  
Central District of California

/s Matt Reilly

LAUREN ARCHER  
MATTHEW REILLY  
Trial Attorneys  
Criminal Division, Fraud  
Section  
U.S. Department of Justice